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OLC #77-11468

SSCI ADP

DCI/IC-77-0721

1 February 1977

Guidelines TAB SANITIZATION

SSCI

77-0390

MEMORANDUM OF CONVERSATION

FROM : [REDACTED]
Special Assistant to the D/DCI/IC

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SUBJECT: D/DCI/IC Conference with SSCI Staff Director

1. On [REDACTED] invitation, William Miller, SSCI Staff Director, met with him in the D/DCI/IC's office for 45 minutes on 1 February 1977. [REDACTED] also was present.

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2. Primary purpose of the meeting was to acquaint Mr. Miller with the draft proposal on guidelines for sanitization of sensitive documents provided to oversight committees of the Congress. Mr. Miller read the paper and then had these comments:

a. The SSCI already has had considerable access to categories of information which it is proposed be "sanitized"--including names of agents, and details of arrangements with liaison services (this was provided by DDO Bill Wells under procedures approved by the DCI). Mr. Miller said he personally had looked at all the liaison agreements. He also said he had had access to highly sensitive details of technical intelligence collection systems.

b. He considered the "guidelines" would be looked upon as a distinct step backwards and felt the focus should be on whether the Community is satisfied with the security of the Committee and its staffers. "You've got to trust them," he said.

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c. In Mr. Miller's view, the SSCI must have access to whatever information is necessary to meet Committee responsibilities, regardless as to its sensitivity.

d. He recognized that S. Res. 400 provides procedures for the public release of intelligence information, even over the objection of the President, but he said he "couldn't conceive of the Committee releasing anything that there was a real need to protect."

e. In his view, the clearance process takes care of "right of access" problems and that the Community should stay away from a piece of paper such as the draft guidelines. He felt that clearance standards should be very stringent, and that any question of sanitization of documents should only be addressed on a case-by-case basis.

f. In connection with this, he considered the Memorandum of Understanding concerning the agreement SSCI staffers sign is a "very stringent" document.

3. [] emphasized the need for early action on the ICS FY 77 supplemental budget request and said the money is needed in March or the ICS move downtown may be delayed. There was some discussion as to how the "bind" arose. Mr. Miller was vague as to when the SSCI might address this matter, noting that the availability of a new DCI would be one factor, and another is Senator Inouye's membership on the Senate Appropriations Committee as well as the SSCI. 25X1

a. Mr. Miller gave [] a paper listing four topics relating to the supplemental budget on which responses are needed at an early date. The four (assigned to [] for action) were drafted by [] They are: [] 25X1
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(1) Detailed position-by-position analysis and justification for the existing organizational structure, as well as the additional [] positions requested in the supplemental. 25X1

(2) Justification for doubling supergrade positions (GS-16 through GS-18) from [] under the current authorization to [] under supplemental request. 25X1
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(3) What position offsets were provided in other Community programs, pursuant to E.O. 11905.

(4) Some sense of priorities, and what would be foregone if additional positions were denied.

4. [] said the FY 78 budget justification books on CIA, the ICS, and the Summary Statement were being completed today for delivery to the Committee, and that the DoD books would be provided separately by Defense. Mr. Miller said he considered the arrangements for daily delivery of the material (as outlined in the CFI letter of 19 January) were satisfactory. He was vague about the dates for the opening hearings, but thought the DCI "state of the world" presentation would be on 9 or 10 February, and the "state of U.S. intelligence" perhaps on 12 February. He promised to advise as soon as dates were set.

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5. In response to questions about SSCI activities on "charters" Mr. Miller said two documents were in preparation and would be proposed before early summer. One is to be a comprehensive charter for national intelligence (missions, functions, authorities) and the other would deal with "domestic prohibitions"--a revision of S. 3197 considered in the 94th Congress.

a. The comprehensive charter will accept intelligence entities as they now exist, but will allow for change. It will strengthen the DCI authority as regards control of resources and tasking. Mr. Miller emphasized that no organizational changes are being proposed.

b. The "prohibitions" bill will deal with all kinds of surveillance. Instead of requiring judicial warrants for approval of activities, the paper will stress the requirement for intelligence accountability for all actions, whether overseas or in the United States. An independent review at reasonable intervals is considered essential, and this will be covered by certification to the SSCI and a review of ongoing activities by the SSCI. Mr. Miller said that electronic surveillance (ES) would be included in the SSCI proposal, so there would be no need for separate legislation on ES.

c. He said the Executive Branch would be consulted on both legislative proposals before they become final.

6. Mr. Miller noted that the SSCI is now a permanent Senate committee, and that Senator Inouye is expected to remain as Chairman at least through the FY 78 budget cycle.

7. He also mentioned that Representative Aspen's bill to create a House Select Committee on Intelligence is virtually identical to S. Res. 400.

cc: Mr. Cary, OLC

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